

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSURE

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services
Health Care Institutions: Licensure
Article and its heading: 2, Hospitals
Section numbers: R9-10-201 through R9-10-233 (The Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**
The purpose of this rulemaking is to make technical and substantive changes to the new hospital rules, which became effective October 1, 2002.
The agency docket number:
RE-025-02
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Vicki A. Conditt, Rules Analyst
Address: Department of Health Services
1647 E. Morten, Suite 230
Phoenix, AZ 85020
Telephone: (602) 674-4255
Fax: (602) 861-0674
E-mail: vcondit@hs.state.az.us
or
Name: Kathleen Phillips, Rules Administrator
Address: Department of Health Services
1740 W. Adams, Suite 102
Phoenix, AZ 85007
Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: kphilli@hs.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted until the close of record, which has not yet been determined. If an oral proceeding is scheduled for these rules, public comments may be presented at that time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION TITLE, REGISTRATION, AND DRIVER LICENSES

1. **Title and its heading:** 17, Transportation
Chapter and its heading: 4, Department of Transportation – Title, Registration, and Driver Licenses
Article and its heading: 4, Driver Licenses
Section numbers: R17-4-407
2. **Subject matter of the proposed rule:**
R17-4-407, Motorcycle Safety Equipment. This Notice of Rulemaking Docket Opening supercedes the Notice of Rulemaking Docket Opening that was published at 8 A.A.R. 2644, June 21, 2002, as the agency has requested the Section be repealed. The agency has determined that the rule is duplicative of the provisions prescribed in A.R.S. §§ 28-924, 28-925, 28-926, 28-939, 28-952, 28-958, 28-964, 28-982, and 28-983.
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 8 A.A.R. 2644, June 21, 2002 (superceded by this notice)
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Troy A. Walters, Rules Analyst
Address: Administrative Rules Unit
Department of Transportation, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5079
Telephone: (602) 712-6722
Fax: (602) 241-1624
E-mail: twalters@dot.state.az.us

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at www.dot.state.az.us/about/rules/index.htm.
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written and oral comments may be made Monday through Friday, 8:00 a.m. to 4:30 p.m. MST, excluding state holidays, at the address listed in item #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY REMEDIAL ACTION

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 7, Department of Environmental Quality – Remedial Action
Article and its heading: 6, Declaration of Environmental Use Restriction (DEUR) Fee
Part and its heading, if applicable: The Article may be divided into two or more parts as necessary.
Section numbers: R18-7-601 and R18-7-602 (Additional Sections may be added or deleted as necessary.)
2. **The subject matter of the proposed rule:**
A Declaration of Environmental Use Restriction (DEUR) is a restrictive covenant for sites closed with nonresidential remediation levels, or using institutional or engineering controls to achieve acceptable levels. Laws 2000, Ch. 225, § 13 requires the Department to establish, by rule, fees to cover the cost of the DEUR program. A proposed institutional DEUR interim fee rule was published at 8 A.A.R. 3616, August 23, 2002. In response to public comments, the Department terminated the rulemaking to allow time to discuss the DEUR fee issues with additional people who have expressed an interest. This new rulemaking will set DEUR fees.

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3. A citation to all published notices relating to the proceeding:

Notice of Rulemaking Docket Opening: 6 A.A.R. 4048, October 20, 2000

Notice of Rulemaking Docket Opening: 8 A.A.R. 1738, April 5, 2002

Notice of Proposed Rulemaking: 8 A.A.R. 3616, August 23, 2002

Notice of Termination of Rulemaking: 8 A.A.R. 4788, November 15, 2002

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: James Lawless

Address: 1110 W. Washington
Phoenix, AZ 85007

Telephone: (602) 771-4562

Fax: (602) 771-2302

E-mail: lawless.james@ev.state.az.us

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Laws 2000, Ch. 225, § 13 exempts the interim rulemaking from certain Administrative Procedure Act requirements, and requires the Department to publish the interim rules in the *Arizona Administrative Register*, provide notice and hold at least one hearing. The public comment period and hearing information will be in the Notice of Proposed Rulemaking.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Department plans to file a notice of proposed interim rulemaking by November 15, 2003.